THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.16948 of 2006

17.1.2007

Between:

Ogili Masthanamma, W/o.late Narasaiah

… Petitioner

AND

Buja Buja Nellore Gram Panchayat, represented by
Panchayat Secretary, Nellore Rural Mandal, Nellore District
And another

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.16948 of 2006

ORDER:

The petitioner is resident of Buja Buja Nellore Village near Nellore Town. He is statedly owner of land admeasuring Acs.0.39 in survey No.26/2P of the said Village, which he obtained by reason of a temporary permission of Eksal basis by the proceedings of the then Tahsildar dated 30.9.1972. The petitioner is allegedly in possession of the land and enjoying the same continuously without any interruption. One week prior to filing of the writ petition, the Village Secretary of Buja Buja Nellore Gram Panchayat, came along with the officials and allegedly tried to dispossess the petitioner, aggrieved by which, the present writ petition is filed.

After getting instructions, learned Assistant Government Pleader for Revenue (General-A) and learned Standing Counsel for first respondent Gram Panchayat, submit that the respondents never interfered with the possession of the petitioner in respect of land in survey No.26/2P. They also submit that the petitioner encroached upon the land on the National Highway and, therefore, the second respondent orally directed the petitioner to remove the encroachment. Learned Assistant Government Pleader further submits that the second respondent would take necessary action under A.P. Land Encroachment Act, 1908. Therefore, the writ petition is disposed of, observing that the second respondent shall take necessary action in accordance with law for removing the encroachment by the petitioner and others.

The writ petition, with the above observations, is accordingly disposed of. No costs.

(**V.V.S.RAO,J**)

January 17, 2007.
YS